

**CALFRESH REQUEST FOR POLICY INTERPRETATION****PI# 18-02**

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Retain a copy for your records and submit via email to CalFresh-PI@dss.ca.gov.

**Please note:** the policy interpretation provided is based on the unique set of facts presented and should not be assumed to apply in all scenarios.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Other:		5. DATE OF REQUEST: <b>12/21/2017</b>	NEED RESPONSE BY: <b>12/26/2017</b>
2. REQUESTOR NAME:		6. COUNTY/ORGANIZATION: <b>County of Riverside</b>	
3. PHONE NO.:	EMAIL:	7. SUBJECT: <b>Authorized Representative -Transitional Housing</b>	
4. REGULATION CITE(S): <b>MPP 63-504.46; 63-102(6); 63-102 (h)(2)</b>		8. REFERENCES: <i>(Include ACL/ACIN, court cases, etc. in references)</i> <b>NOTE: All requests must have a regulation cite(s) and/or a reference(s).</b>  <b>Policy Interpretation dated 11/29/2006</b>	
9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):			

Aletheia Christian Fellowship is an unlicensed church/non-profit live-in ministry that offers transitional housing for parolees upon leaving the prison system. The church requires that the apply for CalFresh as the transitional housing ministry has no funding. Participants with income must pay for their meals or make a financial contribution. The parolees do not have sufficient information about the income and resources of the other parolees. In the past the pastor, acting as the AR, has failed to provide the required information which resulted in OI's. We also have a concern with a resident/parolee acting as the Head of Household for all residents as may leave the facility or may not provide the HHs benefits to the facility. Are the residents of this ministry eligible? Is this non-profit considered an institution? Residents are at the facility for 12 months, can they be considered temporarily homeless based on 63-102(h)(B)? The pastor does not P&P with the residents, can he be the AR on the CF program? Is this considered one household or separate HHs, allowing the residents to use the AR of their choice? see page 2 for additional information

10. REQUESTOR'S PROPOSED ANSWER:

11. STATE POLICY RESPONSE (CFPB USE ONLY):

CDSS' responses to your questions are as follows:

"Is this non-profit considered an institution?" Per IRS Guidelines (LegalZoom.com), a religious institution has 1) a distinct legal existence and religious history, 2) a recognized creed and form of worship, 3) established places of worship, 4) a regular congregation and regular religious services, and 5) an organization of ordained ministers. This church meets the criteria.

"Residents are at the facility for 12 months, can they be considered temporarily homeless based on 63-102(h)(B)?"

According to MPP 63-102(h)(2)(c) "A temporary accommodation in the residence of another individual for no more than 90 days..." 7 CFR states that Homeless individual means an individual who lacks a fixed and regular nighttime residence or an individual whose primary nighttime residence is:

(continued on page 2)

**FOR CDSS USE**

DATE RECEIVED:

**January 3, 2018**

DATE RESPONDED TO COUNTY/ALJ:

**January 4, 2018 (WEB)**

**CALFRESH REQUEST FOR POLICY INTERPRETATION (Continued)****PI#18-02**

1. RESPONSE NEEDED DUE TO: <input type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Other:		5. DATE OF REQUEST:	NEED RESPONSE BY:
2. REQUESTOR NAME:		6. COUNTY/ORGANIZATION:	
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**Question 9, Continued:**

According to their website:

- Major Changes Ministry is a Christian 24-hour live-in facility for California Department of Correction and Rehabilitation (CDCR) parolees who have no history of being a sex offender, and are not presently exhibiting any violent behavior, within the limits agreed on by Major Changes Ministry, the Riverside Parole District (RIVPD), Tri-City Parole District (TCPD), and in accordance with the guidelines established by the facility's insurance company.
- There is no fee for lodging, transportation, and needed clothing and hygiene items are furnished at no charge for those who have no funds upon initial intake.
- Food is prepared and provided for those eligible for food stamps and/or not working. Those who have jobs must buy into the mess at the prevailing charge. We have 12 beds available, and all vacancies are filled by the BPH/RIVPD/TCPD.

See attachment for additional information regarding the ministry.

A halfway house or similar institution that provides temporary residence for individuals intended to be institutionalized. While the church is an institution, the participants in the program can come and go as they please and so are not institutionalized. Because of this, and because this program runs for one year, they cannot be considered homeless.

"The pastor does not P&P with the residents, can he be the AR on the CF program?"

Yes, however per 7 CFR 272.2(n), while the pastor, as a non-household member, may be designated as an authorized representative, he/she would be responsible during the certification period, for reporting changes in the household's income or other household circumstances in accordance with §§273.12(a) and 273.21. Therefore, the pastor would need to have up-to-date information on each participant. The household would still be held liable for any overissuance that results from erroneous information given by the authorized representative.

"Is this considered one household or separate HHs, allowing the residents to use the AR of their choice?"

Per 7 CFR 273.1(a)(3) A household is defined as being composed of a group of individuals who live together and customarily purchase food and prepare meals together for home consumption. This would necessitate the need for them to be considered one big household, with one card.

Are the residents of this ministry eligible?

The final answer is no. Per 7 CFR 273.2(n)(4)(D) Homeless meal providers, as defined in §271.2 of this chapter, may not act as authorized representatives for homeless SNAP recipients.

7 CFR 271.2 Homeless meal provider means:

- (1) A public or private nonprofit establishment (e.g., soup kitchens, temporary shelters) that feeds homeless persons